REMARKS

This Amendment, submitted in response to the Office Action dated July 2, 2003, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 1-21 remain pending in the application. Claims 1-8 and 20-21 have been allowed. Claims 11-18 have been deemed allowable over the art of record but have been objected to for depending on rejected base claims. Claims 9, 10 and 19 have been rejected under 35 U.S.C. 103 as being unpatentable over the combination of Levine (U.S.P. 4,751,583) in view of Harshbarger et al. (U.S.P. 5,351,201, hereafter "Harshbarger"). Applicant submits the following arguments in traversal of the prior art rejections.

Applicant's invention relates, in part, to a method to providing image printing. Conventional imaging systems receiving input from multiple sources of image data are unable to adequately account for the display settings at various image sources. This causes a printer output that does not accurately reflect the output set forth in the display of the image source.

Applicant's invention overcomes the above deficiencies by taking the object image with an image pick up and displayed on a display device as a reproduced image. A reference image is similarly taken with the image pick up. The reference image displayed on a screen is captured to produce a reference image data. An estimate of the displayed state of the image data of the reproduced image is determined based on the reference image data, and print image data is obtained that represents a print image associated with the reproduced image on the basis of the

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estimated displayed state of the reproduced image to be displayed on a server monitor. Print processing is performed on the basis of the print image data.

Turning to the cited art, Levine generally relates to controlling the printing and developing of images by first outputting the images digitally.

Harshbarger relates to an analysis system for determining degradation of a video output by providing a test pattern embedded with a code that helps determine the type of analysis to be performed by the test pattern.

The Examiner maintains that the combination of Levine and Harshbarger teaches or suggests each feature of independent claim 9. Applicant argues that the rejection is not supported for at least the following reasons.

First, in making the rejection, the Examiner has not addressed all the recitations of the claims. Claim 9 recites, in part, restoring print image data representing print image associated with the reproduced image on the basis of the estimated, displayed state of the reproduced image. The Examiner's rejection only describes restoring of print image data associated with the reproduced image, but not the basis on which the print image data is ascertained. It is further noted that the estimated data is based on reference image data in the invention. Since the Examiner concedes that Levine does not teach obtaining reference data, the primary reference cannot teach estimations based on the reference, and restoration that is based on estimates using such data.

Second, contrary to the Examiner's contention, Harshbarger does not make up for the deficiencies of Levine. In particular, as discussed above, independent claim 9 describes an inter-relationship between the reference data, an estimate for the displayed state of the reproduced

image based on this reference data and restoration based on the estimated displayed state of the

reproduced image. In this manner, the display reference data can be reflected in the print output.

In Harshbarger, the video test pattern merely provides an objective measure for providing a

degradation condition of a video output. The test pattern is not further used to estimate a

displayed state for a reproduced image or restore print image data.

Third, the Examiner's proffered reason for combining the references is to provide a

method for evaluating performance of a display device. However, even if this motivation is

supportable, the references do not further teach any restoration of print image data derived from

the reference data in even an indirect manner. Therefore, claim 9 is patentable for at least this

reason. Claims 10 and 19 are patentable based on their dependency.

Applicant has added claims 22-23 to describe features of the invention more particularly.

In view of the above, Applicant submits that claims 1-23 are in condition for allowance.

Therefore it is respectfully requested that the subject application be passed to issue at the earliest

possible time. The Examiner is requested to contact the undersigned at the local telephone

number listed below to discuss any other changes deemed necessary.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/139,330

The USPTO is directed and authorized to charge all required fees, except for the Issue

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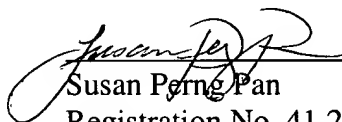
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